

REMARKS

In the non-final Office Action, the Examiner rejects claims 1-3, 5, 7, 8, 10, 11, 14, 16, 17, 23, and 25 under 35 U.S.C. § 102(e) as anticipated by AWEYA et al. (U.S. Patent No. 6,961,307); objects to claims 4, 6, 9, 12, 13, 15, and 24 as dependent upon a rejected base claim; and allows claims 18-22. Applicants appreciate the indication that claims 4, 6, 9, 12, 13, 15, 24 would be allowable if rewritten to include the limitations of the base claim and any intervening claim and the indication that claims 18-22 are allowed, but traverse the 35 U.S.C. § 102(e) rejection.¹

By way of the amendment, Applicants propose canceling claims 4, 12, and 24 without prejudice or disclaimer, propose amending claim 13 to improve form, propose amending claims 1, 10, 23, and 25 to include the features of claims 4, 12, 14, and 6 respectively, and propose amending claims 6, 9, and 15, which contain allowable subject matter, to be rewritten into independent form and in order to place the present application in immediate condition for allowance. No new matter has been added by way of the proposed amendment. Claims 1-3, 5-11, 13-23, and 25 remain pending.

Claims 1-3, 5, 7, 8, 10, 11, 14, 16, 17, 23, and 25 stand rejected under 35 U.S.C. § 102(e) as anticipated by AWEYA et al. Applicants amend claims 1, 10, 23, and 25 to include allowable features from claims 4, 12, 14, and 6, respectively, thereby rendering this rejection moot.

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine reference, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

While the present application is now believed to be in condition for immediate allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by to expedite prosecution of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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